

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ELMER O'CONNELL, )  
Petitioner, ) NO. CV-08-123-CI  
v. )  
JEFF UTTECH, ) JUDGMENT  
Respondent. )  
\_\_\_\_\_  
)

**DECISION BY THE COURT:**

This action came to hearing before the Court on a Report and Recommendation.  
The issues have been heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED** that the Petition and its claims for relief  
are **DISMISSED WITH PREJUDICE**, and Judgment is entered for Respondent.

DATED this 3<sup>rd</sup> day of April, 2009

JAMES R. LARSEN  
District Court Executive/Clerk

s/ L. Stejskal, Deputy Clerk